

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: Erik Flaxmeier                      Group Art Unit: 3739  
Serial No.: 10/534,594                      Examiner: Muro, Samantha A.  
Filing Date: November 21, 2005                      Docket No.: 26317-00006  
Title: METAL ELECTRODE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT  
AMENDMENT (37 CFR 1.121)**

Dear Sirs:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed July 2, 2009 (setting a one-month period for response), for the above-identified non-provisional application, Applicant respectfully re-submits the Claims that were filed with the Response to Restriction Requirement on June 22, 2009. The Response now includes proper status identifier for claims 6 and 8 and is believed to meet the requirements of the Notice of Non-Compliant Amendment (37 CFR 1.121). As this Response is being filed under a certificate of mailing on August 3, 2009, Applicants believe no fees are due. However, the Commissioner is authorized to charge any required fees to our deposit account no. 13-0265.